

subpart, they shall be plainly marked in waterproof ink with the independent laboratory's name or identifying mark.

(i) *Lot rejection.* Each nonconforming unit must be rejected. If three or more nonconforming units are rejected for the same kind of defect, lot inspection must be discontinued and the lot rejected. The inspector must discontinue lot inspection and reject the lot if examination of individual units or the records for the lot shows noncompliance with either this subchapter or the laboratory's or the manufacturer's quality control procedures. A rejected unit or lot may be resubmitted for testing and inspection if the manufacturer first removes and destroys each defective unit or, if authorized by the laboratory, reworks the unit or lot to correct the defect. A rejected lot or rejected unit may not be sold or offered for sale under the representation that it meets this subpart or that it is Coast Guard-approved.

[CGFR 65-9, 30 FR 11478, Sept. 8, 1965, as amended by CGD 95-028, 62 FR 51213, Sept. 30, 1997]

§ 160.050-6 Marking.

(a) Each ring buoy must have the following information in waterproof lettering:

Type IV Personal Flotation Device.

Inspected and tested in accordance with U.S. Coast Guard regulations.

(Name of buoyant material) buoyant material provides a minimum buoyant force of (32 lb. or 16½ lb.).

Approved for use on recreational boats only as a throwable device.

U.S. Coast Guard Approval No. 160.050/(assigned manufacturer's No.)/(Revision No.); (Model No.).

(Name and address of manufacturer or distributor).

(Size).

USCG (Marine Inspection Office identification letters).

(Lot No.).

(b) A method of marking that is different from the requirements of paragraph (a) of this section may be given consideration by the Coast Guard.

[CGD 72-163R, 38 FR 8120, Mar. 28, 1973, as amended by CGD 75-186, 41 FR 10437, Mar. 11, 1976; CGD 75-008, 43 FR 9771, Mar. 9, 1978; 43 FR 10913, Mar. 16, 1978; CGD 92-045, 58 FR 41608, Aug. 4, 1993; CGD 95-028, 62 FR 51214, Sept. 30, 1997]

§ 160.050-7 Procedure for approval.

(a) *General.* Designs of ring life buoys are approved only by the Commandant, U.S. Coast Guard. Manufacturers seeking approval of a ring life buoy design shall follow the procedures of this section and subpart 159.005 of this chapter.

(b) Each application for approval of a ring life buoy must contain the information specified in § 159.005-5 of this chapter. The application and, except as provided in paragraphs (c) and (d)(2) of this section, a prototype ring life buoy must be submitted to the Commandant for preapproval review. If a similar design has already been approved, the Commandant may waive the preapproval review under §§ 159.005-5 and 159.005-7 of this chapter.

(c) If the ring life buoy is of a standard design, the application:

(1) Must include the following: A statement of any exceptions to the standard plans and specifications, including drawings, product description, construction specifications, and/or bill of materials.

(2) Need not include: The information specified in § 159.005-5(a)(2).

(d) If the ring life buoy is of a non-standard design, the application must include the following:

(1) Plans and specifications containing the information required by § 159.005-12 of this chapter, including drawings, product description, construction specifications, and bill of materials.

(2) The information specified in § 159.005-5(a)(2) (i) through (iii) of this chapter, except that, if preapproval review has been waived, the manufacturer is not required to send a prototype ring life buoy sample to the Commandant.

(3) Performance testing results of the design performed by an independent laboratory that has a Memorandum of Understanding with the Coast Guard under § 159.010-7 of this subchapter covering the in-water testing of personal flotation devices showing equivalence to the standard design's performance in all material respects.

(4) Buoyancy and other relevant tolerances to be complied with during production.

(5) The text of any optional marking to be included on the ring life buoy in